

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

KYLE LEE PAYMENT,

Plaintiff,

v.

RYAN SIEGLER, STEVEN WEED,  
RANDY SIMONSEN, JERRY MCHAFFIE,  
BERNIE WARNER, MIKE OBENLAND,  
STEVE BLAKEMAN, BRENDA  
MCKINNEY,

Defendant.

CASE NO. C13-5496 RBL-JRC

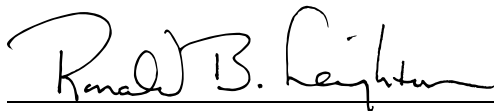
ORDER

The Court having reviewed the Report and Recommendation of the Hon. J. Richard Creatura, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) The Court GRANTS IN PART AND DENIES IN PART Defendants' motion for summary judgment. Defendants Siegler, McHaffie, McKinney, Warner, Obenland, and Blakemen are dismissed from this action with prejudice.

1 (3) Material issues of fact regarding the conduct of defendants Weed and  
2 Simonsen prevents the Court from granting their motion for summary  
3 judgment.

4 DATED this 21<sup>st</sup> day of July, 2014.

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6 RONALD B. LEIGHTON  
7 UNITED STATES DISTRICT JUDGE  
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